

MARYLAND GAZETTE.

THURSDAY, MAY 19, 1803.

A CIVIL OFFICER OF MARYLAND.—Continued.

In the course of the foregoing argument, we have been constrained to refer to the express letter of the constitution, to disprove the gross misstatements of this Friend to Candour; although his errors are not of that class, which claim our pity, yet the Civil Officer disdains a triumph over vulgar malevolence and vapid insolence; conscious of the rectitude of his motives, and in pursuit only of truth, he scorns the paltry gratifications of personal resentment, and nothing shall escape him unexamined and unrefuted, unless public information or public justice require it.

The Friend to Candour having, as we observed, erected a constitutional system on a foundation of his own creation, instead of stating cases that would flow from the principles of his adversary, and showing them to be inconsistent with the constitution, modestly proceeds to propound questions, that wholly arise out of, and depend upon, his own fictions; consequently, like baby houses which children erect out of cards, we shall see them tumble at the first breath directed against them. "It is (says he) irreconcilable, that the governor can only vote when the council are equally divided; and yet can reject, when all five are united against him;" and again, "In the late appointment of a judge of the general court, when the governor gave the casting vote, will the Civil Officer say he did not advise as one of the council? If to the judge was appointed without the advice and consent of council?" If this writer misrepresents the constitution when he wrote, all his irreconcilability and his wonder would have vanished—he would there have found, that the act of the board of council is expressly advice and consent to an act of the governor; and nothing more or less—the words of the constitution would solve all his difficulties; but as his illustrations tend to establish every position of the Civil Officer, we will examine them minutely.

If the Civil Officer should indeed say that the governor, in the late case, had advised as one of the council, to the governor, which that body are expressly declared to be by the constitution; he would undoubtedly say what is very great injustice. It is equally certain that the governor did not advise as one of the council—that he did vote as governor in that particular occasion, and that he was authorized to do so by an express provision of the constitution—which rendered his vote equivalent to that of one of the board, and enabled him, by deciding that advice and consent agreeably to his proposal and judgment, to appoint the judge, and he accordingly did appoint him.

That he did not vote as a member of the council, nor as a member of the board, we have already seen; the mode of election, the former laws of Maryland recognized and altered part of the constitution, the various duties of his office, the express language of the constitution in all its parts, and the cautious separation of himself and his powers from the members and duties of the board by this very act, even where he is directed to preside in council—these incontrovertible evidence, that the constitution never intended that the chief magistrate, or his powers, should be confounded or mixed with the members and duties of a board, constituted solely to advise him. In fact, without preserving that separation, the very theory and language of the constitution which require a concurrence, where the governor acts by the advice and consent of council, and that mutual check which is the favourite principle of freedom, would be wholly destroyed and perverted. But how the special authority of the governor, to decide by a casting vote the advice and consent of council in favour of those two who agree with him, is irreconcilable with his sole power of proposal, or with his ultimate power of rejecting the advice and consent of council, if the whole five or any other majority should be united in opinion against him, is utterly unintelligible to the Civil Officer, and will be equally so to the Friend to Candour who will confine himself to the express constitutional powers of the council.

It is not probable, that if the governor should have obtained, by this special authority to decide the advice and consent of council, that he would ultimately reject what was determined agreeably to his proposal or opinion; and although such an event was possibly not in contemplation by the convention, and will very rarely if ever happen; yet we may conceive cases, and one had nearly occurred under the British treaty, where the executive magistrate might be induced ultimately to reject advice and consent to what he proposed himself. There is nothing in reason or the constitution of Maryland to forbid it. But we conceive it to be utterly irreconcilable, not only with the constitution but common sense, that the convention intended to destroy the general independent power of the governor, in every case where he acted with the council, because they authorized him on a possible contingency to decide where they were divided, without which decision his judgment would avail nothing, although an equal number of the council agreed with him; more especially when, by his retaining his powers, the theory and language of the constitution are preserved without inconvenience; and by their being merged or absorbed, the whole constitution becomes a mass of absurdity and inconsistency.

For admitting the governor has the sole right of proposal, of ultimate rejection, or both those rights, yet this power of deciding in the special case of a division is equally wise and necessary: For if both those powers are equally in him, still, if five members of the council, or four, or even more, refuse to concur with him by their advice and consent, there is an end of the business; he cannot act; but if only two concur, and only two refuse, it is reasonable and proper that he should act. It is neither presumed that the Friend to Candour will deny that the convention, in establishing that the governor should possess the sole right of proposal, and the ultimate right of rejecting the advice of council, could not also have given the special power of deciding the act of the council when the members were divided; nor is it believed that he will assert that such special power was not a prudent and wise provision, even in addition to those other powers.

Let us now turn our attention to the consequences.—Under the constitution, as the Civil Officer contends it is, the governor and council are each left with their separate powers, to exercise the full functions of different rational beings, and are not to be regarded as being interrupted with public au-

thority, independently deliberating, and finally, either freely concurring, or refusing to concur in some executive act, which the governor is to execute with their advice and consent; thus mutually checking each other, and preventing an abuse of power by either. But under the construction, or rather the system created by the Friend to Candour, on no other pretence than some irregular proceedings in council, that were kept secret from the public, we must suppose that the convention intended, that when the governor should proceed to deliberate in council, he should be instantly struck with a political dead palsy, and remain in council only half alive; that if the board should by accident consist of four, and those four should, by accident, divide, the palfied half, on that contingency, on a contingency might receive only for the moment to give a casting vote, and sink again into lifeless insensibility; and that when he should come to act, he should be a mere mechanical instrument—an hollow tube—either a pen or a trumpet, to promulgate their imperative advice and consent; or that if he should be out of the way, or not to alert as they might wish, the attention of their clerk to their acts, would answer the same purpose.

We would now in our turn propound a short question or two to this sage assult, the Friend to Candour: If the governor did advise as one of the council on the appointment of the judge, as he supposes, pray whom did he advise? for where advice is given, a person to be advised is as absolutely necessary as an adviser. Did he then, as counsellor, advise himself as governor? There is perhaps but one case in point that can be produced, and that is recorded by the inimitable Cervantes, to the following effect: When Sancho Panza became governor of Barataria, doctor Pedro Positive de Bolle-ill was his chief counsellor, and advised his excellency to conform to the usages and customs of other governors, especially in eating only what he should advise, it being found by experience that the same food would be improper for him that would suit counsellors; &c. the governor bore with patience, whilst dist after dist disappeared, until a favourite pudding was, on the move, when in spite of all doctor Pedro Positive could say, he turned counsellor himself and advised his excellency to eat a little of that pudding.

The constitution of Maryland admits of no such foolery or absurdity, it is the work of wisdom, patriotism and experience. Let its language, without addition or diminution, speak for itself, and it will dispel the fogs that arise from delusion or design. Its words are, "the governor, by the advice and consent of council, may embody the militia—may call the assembly, &c. It is to be remarked, that the word *may* is not here imperative, as there is no absolute official duty prescribed; it is precisely equivalent here, to that clause of the constitution that directs that the governor alone *may*, (which word is understood having before been repeated in the same sentence,) grant pardons and reprieves for any crime, &c. It confers a power, which from its nature, must be exercised under a responsible discretion, as circumstances may require. In pardons and reprieves the governor's sole discretion is confined in; in embodying the militia, and calling the assembly, &c. the discretion and responsibility attach both on the governor and council; but as the governor is the executive agent to do the act, the responsibility rests first on him; if it becomes necessary to do either, he must require the concurrence of council, and then they become responsible for their advice and consent. The governor requires the concurrence of council to embody the militia or call the assembly, &c. five members will not advise and consent, four will not—three will not, the business is at an end, the governor can do nothing; but if they concur he can act; and if four members are present and two advise and consent, and two will not, the governor, by special provision of the constitution, in that case votes, and decides an act of council, equivalent to the advice and consent of all, or a majority of the board, and he may act constitutionally. Again if there is a vacancy, as was lately the case, the governor, with the advice and consent of council, may appoint a judge of the general court; here is an absolute duty prescribed, and *may* is imperative; he cannot therefore require the advice and consent of council merely to appoint; the only act to which he can require their advice and consent, is to appoint some particular person judge; if so happened that a majority of the council did not concur, but the board being divided, the governor, by his special power, decided, and then appointed a judge.

We shall now examine the A. B. C. argument of the Friend to Candour, and possibly prove that he is not yet master of his political alphabet. The case he states is, that if the council are divided between A. and B. the governor cannot vote for C. although in his judgment and conscience he believes him most fit for the office, because C. was not the cause of division in the council. We might finish this business by this simple question; if the governor is to appoint; and in order to appoint must propose, and believes C. is the best man, why did he not propose C.? by what possible chance were the council divided between A. and B.? But as this A. B. C. business furnishes new and conclusive arguments against any such possible construction of the constitution as that contended for by the Friend to Candour, it will be treated more at large. According to his doctrine, the unfortunate governor is never to vote but when the council permit, and he must vote when they please, and finally he must vote as they please, although to do so he must violate an express and particular oath. But in this the Friend to Candour is at least consistent. According to his system, the governor of Maryland never takes an oath to go to break it. Let this candid writer examine section 30, he will there find, that the governor, and every member of the council, and every judge and justice, shall, before they act as such, respectively take an oath, that he will not for any person or on his judgment and conscience he believes most fit and best qualified for the office. Now, according to the case stated by the Friend to Candour, although the governor in his judgment and conscience believes C. most fit and best qualified for the office, and therefore is sworn to vote for him if he does vote, yet says the Friend to Candour, as C. was not the cause of division in council, he shall not vote for him, but shall either vote for A. or B. How strangely, how truly partial must the convention have been to indulgent to the confessions of the council, and so regardless of the oath of their chief magistrate! Is it pos-

sible that the constitution of Maryland can bear such a construction? Let it speak for itself, and how plain and consistent is its meaning; and how prudent and clear is every provision. The governor, authorized and directed, with the advice and consent of council, to appoint, asks their advice and consent to appoint C. whom he believes in his conscience to be most fit for the office; the council are divided, and he to decide votes according to his oath for C. but if the members of the council, in their consciences, believe A. and B. more fit for this office than C. they of course will not advise nor consent to the appointment of C. there is nothing to oblige them to vote for C. against their consciences, they may refuse to concur, until the governor may be obliged to propose A. or B. And this shows the great and prudent foresight of the constitution. This oath of the governor is restricted to the possible case of his giving a casting vote, and there it is not only proper, as every person takes it, (even a judge, who cannot possibly vote for any officer but a clerk,) but it is also necessary. If the governor has proposed to doubtful a person, that after full discussion the council are divided whether they will concur, it is proper that the governor, before he gives a casting vote, should test his proposal by the same oath the council have taken; and if, after full discussion, he cannot on his oath vote for the man he proposed, he must necessarily propose some one else, and may probably find it necessary to turn his attention to such persons as the council in discussion have brought into view. And the governor has taken no oath to prevent what he may so often find it absolutely necessary to do—He has taken no oath to appoint the man he thinks most fit for the office, for as he is to appoint with the advice and consent of council, if they will not concur in the appointment of the man he thinks best, he must, if the public necessities require it, appoint the man in whom the majority of the council will concur—but if the public necessities do not press, and he prefers to risk his responsibility on the man he proposes, he may reject, and in order to throw the responsibility on the council who have refused to concur, he, or any member of the board, can require the advice of each member to be entered on the journal, and their constituents can then decide, and render either the governor responsible for an improper proposal, or the particular members of council responsible for their unreasonably refusing to concur. But it is to be observed, that this particular provision of the constitution is absolutely incompatible with the practice of the council to vote by ballot for officers. This mode of ballot, the Civil Officer is informed, the senate of the United States adopted, but were obliged to relinquish, finding it incompatible with their duty and powers, (which on executive business, is confined to their advice and consent to the acts of the chief magistrate,) although there is no such express provision with respect to the advice of each member in the constitution of the United States.

Thus we see that every part of the constitution illustrates and confirms that construction which the Civil Officer has maintained, whilst every part is utterly inconsistent with the whole and every other part thereof, according to the principles of the Friend to Candour, and the conduct of the council.

The Friend to Candour seems to be at some loss to account for the council being expressly called in the constitution *The Council to the Governor*, and the reason he has laid hold of to solve his doubts is curious, and has at least the merit of originality; it amounts to this, that they are called the council to the governor, because the governor is to obey them, and promulge their acts. One would have supposed that this would be the last reason in the world that a mind ordinarily contrived could have urged; but he tells us, by way of confirmation, that the oath they take calls them Counsellors of Maryland; and that this oath was prescribed by wise men, many of them members of convention; this oath is very proper as an expression of reference or deference, for they certainly are not counsellors for Pennsylvania, in whatever manner some of them may act; but surely it cannot be contended that this oath gives them any powers, or alters the constitutional style. That constitution declares them to be *council to the governor*; and for this plain and evident reason, which we have explained, they always had been *council to the governor*, and were so continued by constitutional provision, with curtailed powers, and a different mode of appointment, as an establishment already well known to the laws, on the same principles that an assembly, governor and courts, &c. were continued.

But it seems, according to the Friend to Candour, that the Civil Officer has glided, with wonderful dexterity, over what is to be done in the absence of the governor. The Civil Officer believes, that by this time he has laid as much on that subject as the Friend to Candour is willing to hear, but that writer may possibly learn hereafter, if the question should ever come before a tribunal of justice competent to decide on this clause of section 34, that in the absence of the governor no one but the first named of the council, not the first named of those members who assemble and call themselves a council, can preside; that the first named of the council must preside as governor; that to act as governor he must qualify as such; that he can only qualify as such on the death, resignation or removal out of the state of the real governor; that he can only do this until the assembly can meet to choose a governor for the residue of the year; and that these are the only cases of absence of the governor in which section 34 provides, that the first named of the council shall preside or act and vote when the other members disagree. The Friend to Candour may also then learn, that instead of assuming themselves with devices of a great seal, and examining into the conduct of their clerk, the convention intended that counsellors should go home and transact their own business in the absence of the governor, as counsellors had been used to do when their advice was not required; that the convention expected that every man that could be elected a counsellor would have some business of his own to transact; and as it might be, that they expected the main business of annual appointments on which they are to advise the governor, would be completed in the third week of November; that the other extraordinary occasions that might require their concurrence could create no great interruption of their private pursuits; that if indeed the legislature have called the council to the governor in the absence of almost every civil magistrate power, it

could not be foreseen by the convention, who had authorized the governor to transact all executive business, where the concurrence of council was not required by law; and that even with all these duties, and about the whole of the powers of the governor which they have assumed, the council find themselves at least two thirds of the year; and when the constitution is executed and this clearly is settled the governor may also leave, if he does not yet know it, that if he should go home with the council for a great part of the year, it will be better for himself and not worse for the public. We see governors of other States, with greater powers than the constitution ever contemplated to vest in a governor of Maryland, and where there is no council at all, live generally at home, and sometimes leave the State; we see the president of the United States absent from the seat of government half the year, and the sun still rises and sets as usual, without a council to regulate its course. All this may teach a governor and council of Maryland, that their absence is not likely to cause any great political chasm—that it never was committed but to one ATLAS to sustain the world on his shoulders, and that the great art of governing well, is not to govern too much.

On the authority of the governor of Maryland to preside in council before the revolution, we shall speak fully in our next, and we shall close for the present with due notice of one of the most extraordinary passages of this address of the Friend to Candour; but for that personal respect which we wish to preserve, we should observe that it would defy the powers of chemical analysis to ascertain whether this is an extract from lead or brass, or from a compound of both, amalgamated in the same crucible, or whether it is only an harmless joke intended as a *jeu d'esprit*; if the latter, it is certainly as awkward as the gambols of an old-felder just escaped from the ices of March. The passage is this—"If the council should advise that he, (the governor,) should act the hero, (a term by no means ridiculous among military men,) this advice would operate as an order; and if after a particular period they should advise him to relinquish that command, it would be equally imperative." So if they should advise him to act the hero, he must do so, whether he is an hero or not: This is imperative with a witness—this is commanding nature as well as the governor. This hint seems evidently taken from the governor of Barataria, the only governor of history, or romance from whence the Friend to Candour could have derived his ideas of government—the passage to which it is supposed he alludes is not quite accurately quoted: it is from lib. 4, cap. 1, (Smollet's translation of Don Quixotte,) it stands thus—"Arm my lord, the enemy approaches—advise one councillor. For what should I arm, replies the governor, I neither know the use of arms, nor can give you protection: How, my lord governor, cries another councillor, what dependence is this—Come forth! and be our guide and our general, seeing of right that place belongs to you as being our governor."

A governor may be very infirm and despicable with the gout, as one governor of Maryland has been; he may be totally unacquainted with military affairs, as several have been, and in the present state of the military science this knowledge is not to be gained by intuition; and will not be ridiculed by military men, or any wise men; in fact a governor may know no more of an order of battle, than the Friend to Candour knows of the constitution of Maryland; and above all a privy councillor within may whisper and advise, Mr. Governor do not go! you will certainly run away the first shot that's fired! And yet under all these impressions, if the council advise it, he must play the hero whether he will or not! if so they should be better councillors than the Friend to Candour—they should be men who would not insult the public with such a rhapsody of nonsense. What is the language of the constitution? sec. 33, "The governor, when embodied, i. e. militia, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces, &c. but he shall not command in person, unless advised thereto by council, and then only so long as they shall approve thereof." In what part of this clause did the Friend to Candour find that he shall command in person, if the council advise it?—The power conferred on the governor here is precisely, (by the language,) the same as the other powers he is to exercise by the advice and consent of council; the phraseology only is necessarily altered, as it stands as an exception to the general power, conferred on the governor alone immediately before, of directing solely the military force; an exception founded on obvious and sound reasons; a governor may desire to command in person; he may believe himself qualified; he may think military knowledge ridiculous, and may imagine himself an hero as many men have done till they were tried; and he may feel it a point of honour to render his personal services: The convention therefore to avoid the misfortune of an inexperienced and unqualified man at the head of the army, has qualified that general direction which it vested in the governor over military affairs, by compelling him to obtain the advice and consent of council to his command in person; and as the council can advise him to command indefinitely, they may also limit the term to which that advice shall extend; this perhaps would have been the case without express provision, for *omne majus continet in se minus*—and the power of advising for an indefinite term, naturally includes a power to advise for a less or limited term:—Where then is this extraordinary power to be foisted by which the council could, order an infirm gouty old man, an inexperienced lawyer, or a feint-hearted coward, (no personal allusion is here intended,) to command in person, whether he will or not?—only in the distempered imagination of the Friend to Candour.

A CIVIL OFFICER OF MARYLAND.
(To be continued.)

PHILADELPHIA, May 12.

Yesterday arrived from quarantine, the ship Caroline, capt. Motley, from Cork; by whom we have papers to the 1st of April, which furnishes us with the following

LATE ADVICES.

GENOA, March 5.

Conscripts are daily arriving from France for completing the demi-brigades in Italy; 400 are now quartered here. The government provides for the subsistence of the troops of that nation which are in Liguria, by arrangements with contractors, but with whom this contract is only made for one year. For some days considerable bodies of French troops have been marching towards the Levant.

LEYDEN, March 22.

The formidable preparations making in England, appear more and more to awaken the solicitude of the French government, and dispositions are already made at all events, as if war were inevitable. It could hardly have been hoped, under the present circum-

stances, that the two belligerent powers would tolerate the neutrality of the Batavian republic; but if there were the smallest grounds for uncertainty on that head, all hopes of the kind are now totally vanishing. We learn that France has demanded of the Batavian government, that the necessary preparations for the maintenance of a considerable corps of French troops shall immediately be made, which troops are said to be already on their march for our frontiers: Though this measure be only precautionary, it proves how much the French government, notwithstanding the silence observed by its journals, attaches importance to what passes in England.

It was not impossible to imagine that the first conflict after the high degree of glory and power which he had acquired, would ever yield to menaces. It appears that the French army declined to cover Holland in case of invasion, and no doubt, also to take part of a general expedition against England, will be distributed in the principal towns in Holland. It is not yet known where the head quarters will be fixed: It is said that general Durde has set out for Berlin, to require of that court the most prompt measures with respect to the electorate of Hahover. Thus on every side semi-hostile preparations do not even await the declaration of war and without the intervention of a tutelary genius; it seems that the friends of humanity will in a few days have again to lament its fate.

General Cesar Berthier, brother to the minister for war at Paris, and who had arrived in Holland in quality of chief of the staff to the expedition to Louisiana, on Wednesday quitted the Hague, on another destination. He is gone to Helvoetsloot, to embark for Dunkirk, whence he will go to Tobago, with the character of captain-general of that island. It appears likewise, that the departure of the troops, at the head of which general Victor is to take possession of Louisiana, will be hastened.

PARIS, March 16.

Within these few days, orders have been dispatched to all our sea ports, to hasten the equipment with all possible zeal; and these orders are not alone confined to ships of the line, frigates and other vessels of war, but extend to the getting in readiness of a considerable number of gun-boats and flat bottomed boats; the latter are chiefly fitted out at Cherbourg and Bologne. The pressing of marines and others used to the sea, will be put vigorously into effect. From the interior 50,000 men will be draughted to march to the sea coasts; and this number, added to that already there, will form an army of 120,000 men. These military operations, and other circumstances, give cause of apprehension, that the peace with England is on the point of being broken and which may turn out not a little disastrous for both nations.

The minister of the marine received intelligence on the 13th, that the English fleet in the Mediterranean has been lately reinforced by several ships from England and Gibraltar, which lately passed the Straits. This is considered as a new proof that the English do not intend to evacuate Malta.

LONDON, March 27.

A letter from Bernie, addressed to an eminent commercial house in Hamburg says:—"We are now virtually Frenchmen, and are perfectly sensible of the degradation of our situation—the government which has been imposed on Switzerland is offensive to the great majority of the people, and they look forward with impatience for a safe occasion to shake it off. The internal relations of France are of such a nature as must, within the period of a few years, produce great and wonderful changes."

Letters from Vienna, Trieste, &c. mention that a great number of French troops were on their march to Lower Italy. These accounts add, that they are to embark for Malta and Egypt, in the event of the English delaying to evacuate them.

On Thursday night new press-warrants, with urgent orders, were sent off in different directions; many more ships are ordered into commission; orders have been given for all the three decks to be got ready for sea service as soon as possible, in preference to every other rate. From the outposts yesterday, we learn, that at Portsmouth, orders are received to fit for a state of commissioning, without delay, ALL the line of battle ships at that port, not in need of repairs.

All the gun and flat bottomed boats, as well as small craft, there, are ordered into a state of readiness.

The stock jobbers and speculators in the funds were on Friday more industrious than usual in circulating rumours of an alarming tendency.

The ships destined to protect the entrance of the Thames are getting ready as floating batteries with all possible dispatch. They will occupy, at the Nore, the customary station calculated for that object.

SALEM, May 6.

From the Cape of Good Hope.

Captain Richard Gardner passenger in the Franklin, from the Cape, arrived here yesterday by way of the Vineyard, and favoured us with two numbers of the Cape-Town Gazette; from which we find that, agreeably to the treaty of peace, that place has been given up by the British to the Batavian republic. The late British governor (Francis Dundas) on the 20th February, issued his proclamation, notifying that the restoration would take place the next day, and releasing the inhabitants from their oath of allegiance to his Britannic majesty. The Batavian troops took possession of the castle on the evening of the 20th, and the next morning displayed their co-

lours. At 8 o'clock the large Batavian standard was seen flying; when the Batavian man of war, the Spion, together with the British admiral, saluted the flag, and were answered by the castle. The same day the Batavian governor-general (Janßen) gave an elegant dinner. General Dundas and other British officers dined. On the 25th, the commissary-general from the Batavian republic also gave a dinner, on account of the approaching departure of gen. Dundas and admiral Curteis. The toasts of his Britannic majesty's health, and of the welfare of the Batavian government, were given with a royal salute. On the 1st of March, solemn thanksgiving was held in the churches, and afterwards the governor-general, council of police, and other officers were installed and proclaimed. An elegant supper and ball succeeded in the evening, and many of the houses in the town were illuminated. On the 3d of March admiral Curteis took leave of the commissary-general and the governor, and on going on board his ship was saluted by the battery.

BOSTON, May 6.

From the Mediterranean.

Late and authentic.

Is the ship *Perseverant*, which arrived yesterday from Leghorn and Gibraltar, William Eaton, Esq. our consul for the city and kingdom of Tunis, passenger; and will immediately proceed to the seat of government: Doctor George Davis, of New-York, is left charged with affairs.

As late as the 1st of April *Malta* was not retaken by the English; nor any apparent movement to that effect. It was said that transports were going to bring off the British garrison from Alexandria, but it is thought, more probably to provision them.

In consequence of the late mutiny at Gibraltar the duke of Kent was about to return to England and the garrison to be relieved.

The French government has finally adjusted its misunderstanding with the regency of Algiers, by general accession to the dey's terms. Confession says, that Talleyrand has touched a *chaquet* from the Jews Bocfi and Bounahy and consequently persuaded his young master into a decision on which he has long balanced between commercial policy and personal ambition. Buonaparte might, indeed, have added one more spig to the laurels which already cloud his brow, by annexing the "potent dey" to the catalogue of his slaves, and might have done something towards some for the pockets of the consuls. But the archbishop is of opinion, that it would be killing the goose for an egg—that Algiers in activity would be ultimately of more utility to the French republic and, of course, to their sovereign, than Algiers ruins—and that notwithstanding all the *sanctions* displayed on the subject, his practical highness ought to be secure in the friendship of the first consul. Consequently that thief of brigands will have nothing the causing seamen to check his depredations on any ever tributary nation avidity shall direct his course whole delinquency may furnish him with a pretext.

The dey positively refuses to receive Mr. Cathcart as consul for the United States; and is decidedly rejects cash in lieu of the naval stores, in payment of the annual tribute for the last and present year. According to the statement of Mr. O'Brien there will be an arrearage due that regency, on the 30 September next of 124,073 dollars; it being the tribute and contingencies of two years; including 30,000 dollars, estimated consular present, and 5,000 dollars, ransom of the master and four seamen of the brig *Franklin*, from the balthaw of Tripoli, through the intervention of Algiers.

The bey of Tunis requires, and is resolved to have, as a demonstration of the real friendship of the president of the United States, a good frigate of thirty-six guns; and sundry articles of smaller consideration, which he has signified to the government. He asserts a right of free intercourse with Tripoli, in contempt of an actual blockade; and declares his determination to hold the United States amenable for all infractions of this assumed right. He has conveyed Mr. Eaton, because, he says, he must have an American consul with a disposition more congenial to the Barbary interests! Or, in the language of his minister, more pliable to his views. This chief is endeavouring to negotiate a peace with Portugal, with view of giving his corsairs a greater range, by passing them into the Atlantic. It is yet uncertain which his loyal friends, the Danes, Swedes or Americans will be designated as their prey.

The balthaw of Tripoli, now at peace with the rest of the world, treats with contempt the overtures of pacification proposed to him in writing by Mr. Cathcart on the part of the United States, in conformity to instructions from the department of state. The notion of peace without paying is a fallacy in Barbary. It is impossible, however, yet to determine what influence the appearance of commodore Morris will have on the resolutions of this pirate, as none of his frigates has hitherto been before Tripoli.

Citizens of the United States! your Barbary lords assumed a majestic tone with you; and, except you take an attitude with them a little more worthy of yourselves, to the common curse of the *fall* they will soon add, "By the sweat of your brows I shall support your dishonour and our infolence!"—it is not already the language of their behaviour!

NEW-YORK, May 11.

Latest from France.

Captain Godden, who arrived here yesterday from Bordeaux, left that place on the 29th of March. He confirms the news already received, that prepa-

gions were making in the French ports for war. But, we have information by this arrival which deserves more consideration.

We have seen a letter from Bordeaux, from the first house there of the 26th of March, to a respectable merchant of this city. This letter states that that day, an express arrived from Paris.

A letter by this courier dated at Paris the 24th of March, to a gentleman in office at Bordeaux, observed,—"What a continuance of peace was certain." Two days before this, the writer of this letter expressed an opinion to his correspondent in this city that war was inevitable.

PHILADELPHIA, May 12.

Extract of a letter from Madrid, February 26.

It is asserted that a new line of demarcation of the frontiers between this country and France will soon take place, on which occasion we expect our court will cede a certain part of territory to the French government.

BALTIMORE, May 14.

The weather during the preceding week has been unusually cold and boisterous for the season. On Saturday morning last there was ice in and near this city the thickness of a dollar; and during the night of Saturday and the morning of Sunday, there was a fall of snow which did considerable damage to the vegetable world. The Lombardy poplars in the streets and gardens of this city were generally injured—the weight of the snow which adhered to the leaves and branches, in some instances bore down the whole tree, and in most others it stripped them of their tops and principal branches. Many who slept in chambers contiguous to those trees, were awakened by the cracking of the falling limbs to behold the singular spectacle which they exhibited. We have conversed with several old inhabitants of Philadelphia on this subject, who agree in saying that they have no recollection of snow in May, excepting the instance above mentioned and another which occurred on the 4th of May, in the year 1773 or 1774, which destroyed the greater part of the early fruit. [Phil. pap.]

Annapolis, May 19.

By his EXCELLENCY

JOHN FRANCIS MERCER,

GOVERNOR OF THE STATE OF MARYLAND,

A PROCLAMATION.

WHEREAS it appeareth unto me, by an information taken before Robert Moore, Esq; one of the coroners of Baltimore county, that a most cruel and atrocious murder and robbery were committed on the person of ADAM WAYBLE, paper-maker, a respectable and aged citizen of Anne-Arundel county, by some unknown hand, on or about the thirtieth day of March last, which information hath been returned to me, accompanied by a memorial of sundry respectable inhabitants of the counties of Baltimore and Anne-Arundel, and the city of Baltimore, praying the interposition of government: And, whereas the quiet and security of the good people of this commonwealth depend on the vigilance of the constituted authorities in causing the laws against such enormities to be duly executed: I have therefore thought proper to issue this my proclamation, and I do, by and with the advice and consent of council, hereby offer a REWARD of FOUR HUNDRED DOLLARS to whoever will discover the author or perpetrators of the aforesaid murder and robbery, provided he, they, or they, or any of them, be convicted thereof. And moreover I do, by virtue of the authority and powers in me vested, hereby promise a full and free pardon to any person being an accomplice who shall discover the perpetrator or perpetrators of the said murder and robbery on the aforesaid conditions.

Given in Council, at the city of Annapolis, under the seal of the State of Maryland, this sixteenth day of May, in the year of our Lord one thousand eight hundred and three.

JOHN F. MERCER,

By his excellency's command,
NINIAN PINKNEY, Clerk of
the governor and council.

In COUNCIL, ANNAPOLIS, May 16, 1803.

ORDERED, That the foregoing proclamation be published three times in each week, for the space of three weeks successively, in the American Telegraph, and Federal Gazette, at Baltimore; the National Intelligencer; the Maryland Gazette, at Annapolis; the Republican Advocate, Herald, and Mercury's paper, at Frederick-town, and in Mr. Smith's paper, at Easton.

By order,

NINIAN PINKNEY, CLK.

THIS is to give notice, that the subscriber, of Charles county, hath obtained from the orphans court of Charles county, in Maryland, letters of administration on the personal estate of GEORGE DENT, late of Charles county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the first day of January next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this thirteenth day of May, in the year of our Lord one thousand eight hundred and three.

WILLIAM DENT, Administrator
of GEORGE DENT.

SPRING GOODS.

JOSEPH EVANS,

On the Dock, opposite the Market-house,
Has just received by the Spring vessels arrived at Baltimore, and offers for sale,

A handsome assortment of GOODS, suitable for the present season, consisting of a variety of the latest and most fashionable articles for Ladies and Gentlemen wear.

NOTICE.

ALL persons indebted to the subscriber, whose accounts have been longer standing than twelve months, are earnestly requested to call and discharge the same, or give note or bond for the amount thereof.

JOSEPH EVANS.

Annapolis, May 19, 1803.

MAREEN B. DUVALL,

CHURCH-STREET,

HAS just received a choice selection of SPRING GOODS, MIS CUTLERY and GROCERIES, the whole of which will be sold on the most reasonable terms.

Annapolis, May 17, 1803.

FOR SALE.

TICKETS in the ST. JOHN'S CHURCH LOTTERY, in Baltimore, by the subscriber, at Mr. Mattison's. The drawing of the above lottery will shortly commence, as more than one half the tickets are already sold; and as the subscriber means to remain here only a few days, he requests those who wish to become adventurers to be speedy in their application.

MICHAEL NUSSEAR.

Annapolis, May 19, 1803.

In CHANCERY, May 13, 1803:

John Gwinn,

Samuel Godman, Robert Godman, Brutus Godman, Cassius Godman, Jefferson Godman, John Davidson Godman, Stella Godman, and Peggy Beall Godman, heirs at law of Samuel Godman, deceased.

THE object of the bill is to obtain a decree for the foreclosure of a mortgage given to the complainant by Samuel Godman, deceased, dated on the fourth day of January, seventeen hundred and ninety-nine, for the conveyance of the three following tracts of land, lying in Anne-Arundel county, to wit: YOUNG'S LOCUST PLAINS, containing one hundred and fifty acres; HENDERSON'S MEADOWS, containing one hundred and five acres; and THE ADDITION TO SAMSON, containing one hundred and two acres; subject to redemption, and repayment of the principal sum of three hundred and seventy-five pounds current money, with interest from the first day of November, seventeen hundred and ninety-eight, in three annual payments; the bill states, that no part of the principal or interest of the mortgage money hath been paid; that the period of redemption hath elapsed; that the mortgagor, Samuel Godman, hath departed this life intestate, leaving the defendants his heirs at law, all of whom are minors, except Samuel Godman, the eldest; that all of the said defendants have left the State of Maryland and reside in parts unknown, except Brutus, Cassius and Jefferson. It is thereupon, on the motion of the complainant, ordered and adjudged, that he cause a copy of this order to be inserted in the Maryland Gazette, once in each of three successive weeks, before the eleventh day of June next, to the intent that the absent defendants may have notice of the present application, and of the substance and object of the bill filed in this cause, and may be warned to appear in this court in person, or by a guardian, on or before the fourth Tuesday of October next, to shew cause, if any he, she, or they may have; why a decree should not pass as prayed.

True copy,

Test: SAMUEL H. HOWARD,
Reg. Cur. Can.

THIS is to give notice, that the subscriber, of Charles county, hath obtained from the orphans court of Charles county, in Maryland, letters of administration de bonis non, on the personal estate of WARREN DENT, late of Charles county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the first day of January next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this thirteenth day of May, in the year of our Lord one thousand eight hundred and three.

WILLIAM DENT, Administrator
de bonis non of WARREN DENT.

THIS is to give notice, that the subscriber, of Anne-Arundel county, in the State of Maryland, hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters of administration on the personal estate of EDWARD GWINN, late of Anne-Arundel county, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the fourteenth day of October next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this 14th day of April, 1803.

EDWARD GWINN, Administrator.

In CHANCERY, May 13, 1803.

James Walker,

agent.

Samuel Godman, Robert Godman, Brutus Godman, Cassius Godman, Jefferson Godman, John Davidson Godman, Stella Godman, and Peggy Beall Godman, heirs at law of Samuel Godman, deceased.

THE object of the petition is to obtain a decree for the recording a deed of mortgage from Samuel Godman, deceased, father of the defendants, to the petitioner, James Walker, bearing date on the twenty-eighth day of October, seventeen hundred and ninety-nine, for the conveyance of sundry tracts of land, sundry negroes, and other personal property, particularly enumerated in the said deed, to the petitioner; the petition states, that the said Samuel Godman, the grantor, hath departed this life intestate, leaving the defendants his heirs at law; that all of them are minors, except Samuel, and that all of them, except Brutus, Cassius and Jefferson, have departed from the State Maryland, and gone to parts unknown; it is thereupon, on motion of the petitioner, ordered, that he cause a copy of this order to be inserted three weeks successively, before the eleventh day of June next, in the Maryland Gazette, to the intent that the defendants, and all persons claiming under the said Samuel Godman, deceased, or conceiving themselves interested, may have notice of the petitioner's application to this court, and of the substance and object of his petition, and may be warned to appear here in person or by guardian or solicitor, as the case may require, on or before the fourth Tuesday of October next, to shew cause why a decree should not pass as prayed.

True copy,

Test: SAMUEL H. HOWARD,
Reg. Cur. Can.

MISFORTUNES of various kinds, together with the harassing disposition of my creditors, who are continually burthensome me with heavy costs, hath at length reduced me to the necessity of surrendering my property for the benefit of my creditors; I therefore hereby give notice, that I intend to petition the next general assembly of Maryland for the benefit of the act respecting insolvent debtors. May 17, 1803.

Nottingham, April 16, 1803.

I HEREBY certify, that Mr. HENRY WARING brought before me, a justice of the peace for Prince-George's county, as a trespassing filly, a grey HORSE, about twelve years old, fourteen hands high, paces, trots, and canters, has no perceivable brand, shod before. Given under my hand, the day and year above written.

ROBERT BOWIE.

The owner of the above horse is desired to come, prove his property, and take him away.

Test: HENRY WARING.

NOTICE.

Agreeably to an order of the orphans court of Charles county, will be SOLD, on Wednesday the first day of June next, at the late dwelling of WILLIAM KIRKPATRICK, near Allen's Fresh, if fair, if not the first fair day,

ALL the personal property belonging to the deceased, consisting of a lease for thirty acres of land, for the term of seventy years; horses, cattle, sheep, hogs; a set of joiner's tools; three mill stones, plantation utensils; and a number of other articles too tedious to mention. Twelve months credit will be given on all sums above twenty dollars, the purchaser giving bond, with approved security.

PHILIP MARSHALL, Administrator.
Charles county, May 1, 1803.

EDUCATION.

THE subscriber begs leave to inform the citizens of Annapolis, and the public generally, that on Monday the 16th inst. he proposes to open an ACADEMY in a large and spacious room of the house he now occupies, opposite the south corner of the episcopal church, for the sole purpose of teaching young ladies orthography, English grammar, writing, arithmetic, geography, &c. also drawing and French, if required; he hopes the utility of this institution will be more satisfactorily evinced by the improvement of his pupils in literature, as well as morality, than pompous professions, which is the sincere wish of the public's most devoted, and very humble servant,

HUGH MAGUIRE.

N. B. For terms, &c. apply as above.

Annapolis, May 11, 1803.

COMMITTED to my custody as a runaway, a stout likely negro man, who calls himself JACK TURNER, and says he is free, a joiner by trade, that he has a father and mother, and some other relations, living in Baltimore, from whence he was forced away by a certain capt. Jarvis, about four years ago, and carried and sold to a planter in Georgia, from whom he escaped last fall, and was on his way to Baltimore when apprehended. Jack is a likely young black man, about twenty-three years of age, five feet ten inches high, very bare of cloaths, and can read a little, has a scar on his left eye-brow. His master, if any, is requested to take him away, otherwise he will be sold agreeably to law for prison fees and other charges.

THOMAS PRICE, Sheriff of
Charles county.

February 21, 1803.

could not be foreseen by the convention, who had authorized the governor to transact all executive business, where the concurrence of council was not required by law; and that even with all these duties, and almost the whole of the powers of the governor which they have assumed, the council find themselves at leisure two thirds of the year; and when the constitution is executed and this clause is settled the governor may also learn, if he does not yet know it, that if he should go home with the council for a great part of the year, it will be better for himself and not worse for the public. We see governors of other states, with greater powers than the constitution ever contemplated to vest in a governor of Maryland, and where there is no council at all, live generally at home, and sometimes leave the state; we see the president of the United States absent from the seat of government half the year, and the sun still rises and sets as usual, without a council to regulate its course. All this may teach a governor and council of Maryland, that their absence is not likely to cause any great political chaos—that it never was committed but to one ATLAS to sustain the world on his shoulders, and that the great art of governing well, is not to govern too much.

On the authority of the governor of Maryland to preside in council before the revolution, we shall speak fully in our next, and we shall close for the present with due notice of one of the most extraordinary passages of this address of the Friend to Candour; but for that personal respect which we wish to preserve, we should observe that it would defy the powers of chemical analysis to ascertain whether this is an extract from lead or brass, or from a compound of both, amalgamated in the same crucible, or whether it is only an harmless joke intended as a *jeu d'esprit*; if the latter, it is certainly as awkward as the gambols of an old-feldier just escaped from the idea of March. The passage is this:—“If the council should advise that he, (the governor,) should act the hero, (a term by no means ridiculous among military men,) this advice would operate as an order; and if after a particular period they should advise him to relinquish that command, it would be equally imperative.” So if they should advise him to act the hero, he must do so, whether he is an hero or not: This is imperative with a witness—this is commanding nature as well as the governor. This hint seems evidently taken from the governor of Barataria, the only governor of history, or romance from whence the Friend to Candour could have derived his ideas of government—the passage to which it is supposed he alludes is not quite accurately quoted: it is from lib. 4, cap. 1, (Smollet's translation of Don Quixotte,) it stands thus:—“Arm my lord, the enemy approaches—advise one counsellor. For what should I arm, replies the governor, I neither know the use of arms, nor can give you protection: How, my lord governor, cries another counsellor, what dependence is this—Come forth! and be our guide and our general, seeing of right that place belongs to you as being our governor.”

A governor may be very infirm and decrepid with the gout, as one governor of Maryland has been; he may be totally unacquainted with military affairs, as several have been, and in the present state of the military science this knowledge is not to be gained by intuition; and will not be ridiculed by military men, or any wise men; in fact a governor may know no more of an order of battle, than the Friend to Candour knows of the constitution of Maryland: and above all a privy counsellor within may whisper and advise, Mr. Governor do not go! you will certainly run away the first shot that's fired! And yet under all these impressions, if the council advise it, he must play the hero whether he will or not! If so they should be better counsellors than the Friend to Candour—they should be men who would not insult the public with such a rhapsody of nonsense. What is the language of the constitution? sec. 33, “The governor, when embodied, i. e. militia, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces, &c. but he shall not command in person, unless advised thereto by council, and then only so long as they shall approve thereof.” In what part of this clause did the Friend to Candour find that he shall command in person, if the council advise it?—The power conferred on the governor here is precisely, (by the language,) the same as the other powers he is to exercise by the advice and consent of council; the phraseology only is necessarily altered, as it stands as an exception to the general power, conferred on the governor alone immediately before, of directing solely the military force; an exception founded on obvious and sound reasons; a governor may desire to command in person; he may believe himself qualified; he may think military knowledge ridiculous, and may imagine himself an hero as many men have done till they were tried; and he may feel it a point of honour to render his personal services: The convention therefore to avoid the misfortune of an inexperienced and unqualified man at the head of the army, has qualified that general direction which it vested in the governor over military affairs, by compelling him to obtain the advice and consent of council to his command in person; and as the council can advise him to command indefinitely, they may also limit the term to which that advice shall extend; this perhaps would have been the case without express provision, for *omne majus continet in se minus*—and the power of advising for an indefinite term, naturally includes a power to advise for a less or limited term:—Where then is this extraordinary power to be found by which the council could, order an infirm gouty old man, an inexperienced lawyer, or a feint-hearted coward, (no personal allusion is here intended,) to command in person, whether he will or not!—only in the distempered imagination of the Friend to Candour.

A CIVIL OFFICER OF MARYLAND.
(To be continued.)

PHILADELPHIA, May 12.

Yesterday arrived from quarantine, the ship Caroline, capt. Motley, from Cork; by whom we have papers to the 1st of April, which furnishes us with the following

LATE ADVICES.

GENOA, March 8.

Conscripts are daily arriving from France for completing the demi-brigades in Italy; 400 are now quartered here. The government provides for the subsistence of the troops of that nation which are in Liguria, by arrangements with contractors, but with whom this contract is only made for one year. For some days considerable bodies of French troops have been marching towards the Levant.

LEYDEN, March 22.

The formidable preparations making in England, appear more and more to awaken the solicitude of the French government, and dispositions are already made at all events, as if war were inevitable. It could hardly have been hoped, under the present circum-

stances, that the two belligerent powers would tolerate the neutrality of the Batavian republic; but if there were the smallest grounds for uncertainty on that head, all hopes of the kind are now totally vanished. We learn that France has demanded of the Batavian government, that the necessary preparations for the maintenance of a considerable corps of French troops shall immediately be made, which troops are said to be already on their march for our frontiers. Though this measure be only precautionary, it proves how much the French government, notwithstanding the silence observed by its journals, attaches importance to what passes in England.

It was not impossible to imagine that the first conflict after the high degree of glory and power which he had acquired, would ever yield to menaces. It appears that the French army destined to cover Holland in case of invasion, and no doubt, also to take part of a general expedition against England, will be distributed in the principal towns in Holland. It is not yet known where the headquarters will be fixed: It is said that general Durde has set out for Berlin, to require of that court the most prompt measures with respect to the electorate of Hanover. Thus on every side semi-hostile preparations do not even await the declaration of war; and without the intervention of a tutelary genius, it seems that the friends of humanity will in a few days have again to lament its fate.

General Caesar Berthier, brother to the minister for war at Paris, and who had arrived in Holland in quality of chief of the staff to the expedition to Louisiana, on Wednesday quitted the Hague, on another destination. He is gone to Helvoetsdijks, to embark for Dunkirk, whence he will go to Tobago, with the character of captain-general of that island. It appears likewise, that the departure of the troops, at the head of which general Victor is to take possession of Louisiana, will be hastened.

PARIS, March 16.

Within these few days, orders have been dispatched to all our sea ports, to hasten the equipment with all possible zeal; and these orders are not alone confined to ships of the line, frigates and other vessels of war, but extend to the getting in readiness of a considerable number of gun-boats, and flat bottomed boats; the latter are chiefly fitted out at Cherbourg and Bologne. The pressing of marines and others fited to the sea, will be put vigorously into effect. From the interior 50,000 men will be draughted to march to the sea coasts; and this number, added to that already there, will form an army of 120,000 men. These military operations, and other circumstances, give cause of apprehension, that the peace with England is on the point of being broken and which may turn out not a little disastrous for both nations.

The minister of the marine received intelligence on the 13th, that the English fleet in the Mediterranean has been lately reinforced by several ships from England and Gibraltar, which lately passed the Straits. This is considered as a new proof that the English do not intend to evacuate Malta.

LONDON, March 27.

A letter from Bernes, addressed to an eminent commercial house in Hamburg says:—“We are now virtually Frenchmen, and are perfectly sensible of the degradation of our situation:—the government which has been imposed on Switzerland is offensive to the great majority of the people, and they look forward with impatience for a safe occasion to shake it off. The internal relations of France are of such a nature as must, within the period of a few years, produce great and wonderful changes.”

Letters from Vienna, Trieste, &c. mention that a great number of French troops were on their march to Lower Italy. These accounts add, that they are to embark for Malta and Egypt, in the event of the English delaying to evacuate them.

On Thursday night new press-warrants, with urgent orders, were sent off in different directions; many more ships are ordered into commission; orders have been given for all the three deckers to be got ready for sea service as soon as possible, in preference to every other rate. From the outports yesterday, we learn, that at Portsmouth, orders are received to fit for a state of commissioning, without delay, all the line of battle ships at that port, not in need of repairs.

All the gun and flat bottomed boats, as well as small craft, there, are ordered into a state of readiness.

The stock jobbers and speculators in the funds were on Friday more industrious than usual in circulating rumours of an alarming tendency.

The ships destined to protect the entrance of the Thames are getting ready as floating batteries with all possible dispatch. They will occupy, at the Nore, the customary station calculated for that object.

S A L E M, May 4.

From the Cape of Good Hope.

Captain Richard Gardner passenger in the Franklin, from the Cape, arrived here yesterday by way of the Vineyard, and favoured us with two numbers of the Cape-Town Gazette; from which we find that, agreeably to the treaty of peace, that place has been given up by the British to the Batavian republic. The late British governor (Francis Dundas) on the 20th February, issued his proclamation, notifying that the restoration would take place the next day, and releasing the inhabitants from their oath of allegiance to his Britannic majesty. The Batavian troops took possession of the castle on the evening of the 20th, and the next morning displayed their co-

lours.—At 8 o'clock the large Batavian standard was seen flying; when the Batavian man of war, the Spion, together with the British admiral, saluted the same, and were answered by the castle. The same day the Batavian governor-general (Janßen) gave an elegant dinner. General Dundas (Janßen) gave an officers' sitting. On the 25th, the commissary-general from the Batavian republic also gave a dinner, on account of the approaching departure of gen. Dundas and admiral Corbet. The topics of the Batavian majesty's health, and of the welfare of the Batavian government, were given with a royal salute. On the 1st of March, solemn thanksgiving was held in the churches, and afterwards the governor-general council of police, and other officers were installed and proclaimed.—An elegant supper and ball succeeded in the evening, and many of the houses in the town were illuminated.—On the 3d of March admiral Corbet took leave of the commissary-general and the governor, and on going on board his ship was saluted by the battery.

BOSTON, May 6.
From the Mediterranean.
Late and authentic.

In the ship *Perseverance*, which arrived yesterday from Leghorn and Gibraltar, William Eaton, Esq. our consul for the city and kingdom of Tunis, and passenger; and will immediately proceed to the seat of government. Doctor George Davis, of New-York, is left charged with affairs.

As late as the 1st of April Malta was not retaken by the English; nor any apparent movement to that effect. It was said that transports were sent to bring off the British garrison from Alexandria; but, it is thought, more probably to provision them.

In consequence of the late mutiny at Gibraltar the duke of Kent was about to return to England and the garrison to be relieved.

The French government has finally adjusted its misunderstandings with the regency of Algiers, by general accession to the dey's terms. Consistently, that Talleyrand has touched a *deuce* from the Jews Bocfi and Buznah; and consequently pursued his young master into a decision on which he is long balanced between commercial policy and private ambition.—Bionaparte might, indeed, have also one more sprig to the laurels which already cloud his brow, by annexing the “potent dey” to the catalogue of his slaves, and might have done something like some for the pockets of the consuls.—But the archbishop is of opinion, that it would be killing the goose for an egg—that Algiers in activity would be ultimately of more utility to the French republic, and, of course, to their sovereign, than Algiers ruins—and that notwithstanding all the *Janissaries* displayed on the subject, his practical highness ought to be secure in the friendship of the first consul. Consequently that chief of brigands will have nothing the ensuing season to check his depredations on any ever tributary nation avidity shall direct his course, whole delinquency may furnish him with a pretext.

The dey positively refuses to receive Mr. Cathcart as consul for the United States; and as decidedly rejects cash in lieu of the naval stores, in payment of the annual tribute for the last and present year. According to the statement of Mr. O'Brien there will be an arrearage due that regency, on the 1st September next of 124,073 dollars; it being the tribute and contingencies of two years; including 20,000 dollars, estimated consular present, and 5,000 dollars, ransom of the master and four seamen of the brig *Franklin*, from the bathaw of Tripoli, through the intervention of Algiers.

The bey of Tunis requires, and is resolved to have, as a demonstration of the real friendship of the president of the United States, a good frigate of thirty-six guns; and sundry articles of smaller consideration, which he has signified to the government. He asserts a right of free intercourse with Tripoli, in contempt of an actual blockade; and declares his determination to hold the United States amenable for all infractions of this assumed right. He has conveyed Mr. Eaton, because, he says, he must have an American consul with a disposition more congenial to the Barbary interests! Or, in the language of his minister, more pliable to his views. This chief is endeavouring to negotiate a peace with Portugal, with a view of giving his corsairs a greater range, by passing them into the Atlantic. It is yet uncertain which of his loyal friends, the Danes, Swedes or Americans will be designated as his prey.

The bathaw of Tripoli, now at peace with the rest of the world, treats with contempt the overtures of pacification proposed to him in writing by Mr. Cathcart on the part of the United States, in conformity to instructions from the department of state.—The notion of peace without paying is a false idea in Barbary. It is impossible, however, yet to determine what influence the appearance of commodore Morris will have on the resolutions of this pirate, as none of his frigates has hitherto been before Tripoli.

Citizens of the United States! your Barbary lords assumed a majestic tone with you; and, except you take an attitude with them a little more worthy of yourselves, to the common course of the “*faux pas*” they will soon add, “By the sweat of your brows shall support your dishonour and our insolence!”—is not already the language of their behaviour?

NEW-YORK, May 11.
Latest from France.

Captain Godden, who arrived here yesterday from Bourdeaux, left that place on the 29th of March. He confirms the news already received, that propa-

ions were making in the French ports for war. But, we have information by this arrival which deserves more consideration.

We have seen a letter from Bourdeaux, from the fifth house there of the 26th of March, to a respectable merchant of this city. This letter states, that that day, an express arrived from Paris.

A letter by this courier dated at Paris the 24th of March, to a gentleman in office at Bourdeaux, observed, "That a continuance of peace was certain." Two days before this, the writer of this letter expressed an opinion to his correspondent in this city that war was inevitable.

PHILADELPHIA, May 12.

Extract of a letter from Madrid, February 26. It is asserted that a new line of demarcation of the frontiers between this country and France will soon take place, on which occasion we expect our court will cede a certain part of territory to the French government.

BALTIMORE, May 14.

The weather during the preceding week has been unusually cold and boisterous for the season. On Saturday morning last there was ice in and near this city the thickness of a dollar; and during the night of Saturday and the morning of Sunday, there was a fall of snow which did considerable damage to the vegetable world. The Lombardy poplars in the streets and gardens of this city were generally injured. The weight of the snow which adhered to the leaves and branches, in some instances bore down the whole tree, and in most others it stripped them of their tops and principal branches. Many who slept in chambers contiguous to those trees, were awakened by the cracking of the falling limbs to behold the singular spectacle which they exhibited. We have conversed with several old inhabitants of Philadelphia on this subject, who agree in saying that they have no recollection of snow in May, excepting the instance above mentioned and another which occurred on the 4th of May, in the year 1773 or 1774, which destroyed the greater part of the early fruit. [Phil. pap.]

Annapolis, May 19.

By his EXCELLENCY

JOHN FRANCIS MERCER,

Governor of the State of Maryland,

A PROCLAMATION.

WHEREAS it appeareth unto me, by an inquisition taken before Robert Moore, Esq; one of the coroners of Baltimore county, that a most cruel and atrocious murder and robbery were committed on the person of ADAM WAYBLE, paper-maker, a respectable and aged citizen of Anne-Arundel county, by some unknown hand, on or about the thirtieth day of March last, my inquisition hath been returned to me, accompanied by a memorial of sundry respectable inhabitants of the counties of Baltimore and Anne-Arundel, and the city of Baltimore, praying the interposition of government: And, whereas the quiet and security of the good people of this commonwealth depend on the vigilance of the constituted authorities in causing the laws against such enormities to be duly executed: I have therefore thought proper to issue this my proclamation, and I do, by and with the advice and consent of council, hereby offer a REWARD of FOUR HUNDRED DOLLARS to whoever will discover the author or perpetrators of the aforesaid murder and robbery, provided he, she, or they, or any of them, be convicted thereof. And moreover I do, by virtue of the authority and powers in me vested, hereby promise a full and free pardon to any person being an accomplice, who shall discover the perpetrator or perpetrators of the said murder and robbery on the aforesaid conditions.

Given in Council, at the city of Annapolis, under the seal of the State of Maryland, this sixteenth day of May, in the year of our Lord one thousand eight hundred and three.

JOHN F. MERCER,

By his excellency's command,

NINIAN PINKNEY, Clerk of

the governor and council.

In COUNCIL, ANNAPOLIS, May 16, 1803.

ORDERED, That the foregoing proclamation be published three times in each week, for the space of three weeks successively, in the American, Telegraphic, and Federal Gazette, at Baltimore; the National Intelligencer; the Maryland Gazette, at Annapolis; the Republican Advocate, Herald, and Harbinger's paper, at Frederick-town, and in Mr. Smith's paper, at Easton.

By order,

NINIAN PINKNEY, Clk.

THIS is to give notice, that the subscriber, of Charles county, hath obtained from the orphans court of Charles county, in Maryland, letters of administration on the personal estate of GEORGE DENT, late of Charles county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the first day of January next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this thirteenth day of May, in the year of our Lord one thousand eight hundred and three.

WILLIAM DENT, Administrator

of GEORGE DENT.

SPRING GOODS.

JOSEPH EVANS,

On the Dock, opposite the Market-house, Has just received by the Spring vessels arrived at Baltimore, and offers for sale,

A Handsome assortment of GOODS, suitable for the present season, consisting of a variety of the latest and most fashionable articles for Ladies and Gentlemen wear.

NOTICE.

ALL persons indebted to the subscriber, whose accounts have been longer standing than twelve months, are earnestly requested to call and discharge the same, or give note or bond for the amount thereof.

JOSEPH EVANS.

Annapolis, May 19, 1803.

MAREEN B. DUVALL,

CHURCH-STREET,

HAS just received a choice selection of SPRING GOODS, also CUTLERY and GROCERIES, the whole of which will be sold on the most reasonable terms.

Annapolis, May 17, 1803.

FOR SALE.

TICKETS in the ST. JOHN'S CHURCH LOTTERY, in Baltimore, by the subscriber, at Mr. Mattison's. The drawing of the above lottery will shortly commence, as more than one half the tickets are already sold; and as the subscriber means to remain here only a few days he requests those who wish to become adventurers to be speedy in their application.

MICHAEL NUSSEAR.

Annapolis, May 19, 1803.

In CHANCERY, May 13, 1803.

John Gwinn,

vs.

Samuel Godman, Robert Godman, Brutus Godman, Gassius Godman, Jefferson Godman, John Davidson Godman, Stella Godman, and Peggy Beall Godman, heirs at law of Samuel Godman, deceased.

THE object of the bill is to obtain a decree for the foreclosure of a mortgage given to the complainant by Samuel Godman, deceased; dated on the fourth day of January, seventeen hundred and ninety-nine, for the conveyance of the three following tracts of land, lying in Anne-Arundel county, to wit: YOUNG'S LOCUST PLAINS, containing one hundred and fifty acres; HENDERSON'S MEADOWS, containing one hundred and five acres; and The ADDITION to SAMSON, containing one hundred and two acres; subject to redemption, and repayment of the principal sum of three hundred and seventy-five pounds, current money, with interest from the first day of November, seventeen hundred and ninety-eight, in three annual payments; the bill states, that no part of the principal or interest of the mortgage money hath been paid; that the period of redemption hath elapsed; that the mortgagor, Samuel Godman, hath departed this life intestate, leaving the defendants his heirs at law, all of whom are minors, except Samuel Godman, the eldest; that all of the said defendants have left the State of Maryland and reside in parts unknown, except Brutus, Gassius and Jefferson. It is thereupon, on the motion of the complainant, ordered and adjudged, that he cause a copy of this order to be inserted in the Maryland Gazette, once in each of three successive weeks, before the eleventh day of June next, to the intent that the absent defendants may have notice of the present application, and of the substance and object of the bill filed in this cause, and may be warned to appear in this court in person, or by a guardian, on or before the fourth Tuesday of October next, to shew cause, if any he, she, or they may have; why a decree should not pass as prayed.

True copy,

Tell. SAMUEL H. HOWARD,

Reg. Cur. Can.

THIS is to give notice, that the subscriber, of Charles county, hath obtained from the orphans court of Charles county, in Maryland, letters of administration de bonis non, on the personal estate of WARREN DENT, late of Charles county, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the first day of January next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this thirteenth day of May, in the year of our Lord one thousand eight hundred and three.

WILLIAM DENT, Administrator

de bonis non of WARREN DENT.

THIS is to give notice, that the subscriber, of Anne-Arundel county, in the State of Maryland, hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters of administration on the personal estate of EDWARD GWINN, late of Anne-Arundel county, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, at or before the fourteenth day of October next, they may otherwise by law be excluded from all benefit of the said estate. Given under my hand, this 14th day of April, 1803.

EDWARD GWINN, Administrator.

J. G. Gwinn

In CHANCERY, May 12, 1803.

James Walker,

vs.

Samuel Godman, Robert Godman, Brutus Godman, Gassius Godman, Jefferson Godman, John Davidson Godman, Stella Godman, and Peggy Beall Godman, heirs at law of Samuel Godman, deceased.

THE object of the petition is to obtain a decree for the recording a deed of mortgage from Samuel Godman, deceased, father of the defendants, to the petitioner, James Walker, bearing date on the twenty-eighth day of October, seventeen hundred and ninety-nine, for the conveyance of sundry tracts of land, sundry negroes, and other personal property, particularly enumerated in the said deed, to the petitioner; the petition states, that the said Samuel Godman, the grantor, hath departed this life intestate, leaving the defendants his heirs at law; that all of them are minors, except Samuel, and that all of them, except Brutus, Gassius and Jefferson, have departed from the State Maryland, and gone to parts unknown; it is thereupon, on motion of the petitioner, ordered, that he cause a copy of this order to be inserted three weeks successively, before the eleventh day of June next, in the Maryland Gazette, to the intent that the defendants, and all persons claiming under the said Samuel Godman, deceased, or conceiving themselves interested, may have notice of the petitioner's application to this court, and of the substance and object of his petition, and may be warned to appear here in person, or by guardian or solicitor, as the case may require, on or before the fourth Tuesday of October next, to shew cause why a decree should not pass as prayed.

True copy,

Tell. SAMUEL H. HOWARD,

Reg. Cur. Can.

MISFORTUNES of various kinds, together with the harassing disposition of my creditors, who are continually burthening me with heavy costs, hath at length reduced me to the necessity of surrendering my property for the benefit of my creditors; I therefore hereby give notice, that I intend to petition the next general assembly of Maryland for the benefit of the act respecting insolvent debtors. May 17, 1803.

AMUEL EVANS.

Nottingham, April 16, 1803.

I HEREBY certify, that Mr. HENRY WARING brought before me, a justice of the peace for Prince-George's county, as a trespassing filly, a grey HORSE, about twelve years old, fourteen hands high, paces, trots, and canters, has no perceivable brand, shod before. Given under my hand, the day and year above written.

ROBERT BOWIE.

The owner of the above horse is desired to come, prove his property, and take him away.

10th 7/6

HENRY WARING.

NOTICE.

Agreeably to an order of the orphans court of Charles county, will be SOLD, on Wednesday the first day of June next, at the late dwelling of WILLIAM KIRKPATRICK, near Allen's Fresh, if fair, if not the first fair day,

ALL the personal property belonging to the deceased, consisting of a lease for thirty acres of land, for the term of seventy years; horses; cattle; sheep; hogs; a set of joiner's tools; three mill stones, plantation utensils; and a number of other articles too tedious to mention. Twelve months credit will be given on all sums above twenty dollars, the purchaser giving bond, with approved security.

2 PHILIP MARSHALL, Administrator.

Charles county, May 1, 1803.

EDUCATION.

THE subscriber begs leave to inform the citizens of Annapolis, and the public generally, that on Monday the 16th inst. he proposes to open an ACADEMY in a large and spacious room of the house he now occupies, opposite the fourth corner of the episcopal church, for the sole purpose of teaching young ladies orthography; English grammar, writing, arithmetic, geography, &c. also drawing and French, if required; he hopes the utility of this institution will be more satisfactorily evinced by the improvement of his pupils in literature, as well as morality, than pompous professions, which is the sincere wish of the public's most devoted, and very humble servant,

HUGH MAGUIRE.

N. B. For terms, &c. apply as above.

Annapolis, May 11, 1803.

COMMITTED to my custody as a runaway, a stout likely negro man, who calls himself JACK TURNER, and says he is free, a joiner by trade, that he has a father and mother, and some other relations, living in Baltimore, from whence he was forced away by a certain capt. Jervis, about four years ago, and carried and sold to a planter in Georgia, from whom he escaped last fall, and was on his way to Baltimore when apprehended. Jack is a likely young black man, about twenty-three years of age, five feet ten inches high, very bare of cloaths, and can read a little, has a scar on his left eye-brow. His master, if any, is requested to take him away, otherwise he will be sold agreeably to law for prison fees and other charges.

THOMAS PRICE, Sheriff of

Charles county.

February 27, 1803.

THE subscriber returns his sincere thanks to his friends and customers for the liberal and generous support he has hitherto experienced, and begs leave to inform them, that he has opened his STORE and PORTER CELLAR, in the house lately occupied by THOMAS ROOZAN, Esq. opposite the South corner of the episcopal church, where he hopes, by the goodness of his liquors, &c. and desire to please, to merit a further continuance of their favours, which will be gratefully received by their most obedient and very humble servant,

HUGH MAGUIRE.

Annapolis, May 11, 1803.

In CHANCERY, May 8, 1803.

Mary Peach, Administratrix of Richard Williams, vs.
Rebecca, Elizabeth, and Richard Williams, and Isaac Jams, and Elizabeth his wife.

THE object of the bill is to obtain a decree for the sale of the interest of the defendants in two tracts of land in Prince-George's county, called BEAVER DAM NECK, and part of PARCEL ENLARGED, for the payment of the debts of Richard Williams, deceased, which from him descended to the defendants his heirs; the bill states that the defendants have removed out of the state of Maryland; it is thereupon adjudged and ordered, that the complainant, by causing a copy of this order to be inserted three times in the Maryland Gazette before the tenth day of June next, give notice to the defendants to appear here in person, or by a solicitor, on or before the second Tuesday of October next, to shew cause, if any they have, wherefore a decree should not pass as prayed.

True copy,
Test. SAMUEL HARVEY HOWARD,
Reg. Cur. Can.

In CHANCERY, May 6, 1803.

Robert Sewall,

against

Charles Sewall, Nicholas Sewall, Eleonor Pye, Thomas Rogison, and his wife Alice, Lewis Taney, Charles Henry Taney, Celistia and Eliza Alice Taney.

THE object of the bill filed in this cause is to obtain a conveyance for a tract of land, called MATTAPONEY SEWALL, and other lands thereto adjoining, which Henry Sewall, ancestor of the defendants, now deceased, contracted for with the complainant, by his contract in writing, dated on the 17th day of October, 1801; the bill states that Lewis Taney, one of the defendants, resides out of the state of Maryland; it is thereupon, on the motion of the complainant, ordered and adjudged, that he cause a copy of this order to be inserted in the Maryland Gazette once in each of three successive weeks before the 3d day of June next, to the intent that the absent defendant may have notice of the present application, and of the substance and object of the bill filed in this cause; and may be warned to appear in this court in person, or by a solicitor, on or before the 1st Tuesday of October next, to shew cause, if any he hath, why a decree should not pass as prayed.

True copy,
Test. SAMUEL HARVEY HOWARD,
Reg. Cur. Can.

NOTICE.

To the public of Maryland.

THERE will be a petition preferred to the next general assembly of this state for a law to pass for a road to be laid off from a landing on the north side of Severn river, commonly called and known by the name of JUMPER'S HOLE, along through the neighbourhood by the widow Mary Johnson's, and from there the most convenient route to a landing known by the name of ASHFALL'S LANDING, on the east side of a fork of Currier's creek, called MARLEY CREEK, and for to make the aforesaid landings public.

NOTICE.

THAT the subscriber, of Charles county, in the State of Maryland, hath obtained from the orphans court of said county, letters of administration on the estate of RICHARD ROBY, late of Charles county, deceased. All persons having claims against said estate are hereby requested to bring them in, legally authenticated, to the subscriber, on or before the fourth day of July next, or they may otherwise by law be excluded from all benefit of said estate. Given under my hand, this 4th day of January, 1803.

ANN ROBY, Executrix.

NOTICE.

ALL persons having claims against the estate of THOMAS POWER, late of Saint-Mary's county, deceased, are hereby requested to apply on or before the 1st day of August next, and receive their second and last dividend: Given under my hand, this 7th day of May, 1803.

JOSIAH B. GRINDALE, Administrator.

TO THE PUBLIC.

I TAKE this mode of informing those who may have property for sale, that I will act as auctioneer, on application. My experience and ability, that line may be known on inquiry.

Annapolis, August 1, 1802.

In CHANCERY, May 10, 1803.

THOMAS L. SOTHORON, an insolvent debtor, of Charles county, entitled to the benefit of the last act of the general assembly for the relief of sundry insolvent debtors, being this day, by the sheriff of said county, brought before the chancellor, in consequence of an order this day passed, and having, before the chancellor, taken the oath by the said act prescribed for delivering up his property, &c. it is thereupon ordered, that the said Thomas L. Sothoron appear before the chancellor, in the chancery-office at 10 o'clock, on the third day of September next, for the purpose of answering such interrogatories as his creditors, or any of them, shall then and there propose to him, and that the said Thomas L. Sothoron shall give notice of the said time and place for his answering aforesaid, and for their appearing, to propound interrogatories, and for recommending a trustee for their benefit, by causing a copy of this order to be inserted at least three weeks successively, before the third day of June next, in the Maryland Gazette.

True copy,
Test. SAMUEL HARVEY HOWARD,
Reg. Cur. Can.

NOTICE, That the Commissioners of the Tax for Anne-Arundel county, will meet at the city of Annapolis, on the third Monday in May next, and will sit from day to day for twenty days, to hear appeals, and make transfers of property, and that all persons interested in the late sales of real property where no personal property could be found to pay the taxes due thereon, are then and there requested to attend.

April 21, 1803.

NOTICE.

To the Public of Maryland.

THERE will be a petition preferred to the next general assembly of this state, for a law to pass for a road to be laid off from a large white oak tree, on the fourth side of the main road leading from the city of Annapolis round the head of the Severn river, to the city of Baltimore, standing at the lower end of Richard Dorley's, (of Caleb) lane or plantation, next adjoining to a plantation belonging to Charles Carroll, of Carrollton, Esq. along up through the neighbourhood on the north side of South river, in Anne-Arundel county, by Jacob Waters's mill and the South river, meeting houses, and the neighbourhood of the Mr. Hopkins's to a fording place on the main branch of Patuxent river known by the name of Alston's Ford, and from there the most convenient route through Prince-George's county, by or through Mr. Benjamin Ogle's plantation, known by the name of Belle Air, to a small town in the said county called Bladenburg, at or near the head of a creek of the river Patowmack, called and known by the name of The Eastern Branch.

April 14, 1803.

I HEREBY give notice, that I intend to apply to Anne-Arundel county court, at April term next, for a commission to mark and bound a tract of land, lying in said county, called JOHN and MARY'S CHANCE, being a survey on two tracts or parts of tracts of land, the one called DAX, and the other called JARICO, in pursuance of the act of assembly, entitled, An act for marking and bounding lands.

JOHNSON M. O'REILLY.

Herring Bay, Anne-Arundel county,
January 1, 1803.

THIS is to give notice, that the subscribers, of Anne-Arundel county, in the State of Maryland, hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters testamentary on the personal estate of ELIZABETH EVANS, late of Anne-Arundel county deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscribers, at or before the fifth day of October next, they may otherwise by law be excluded from all benefit of the said estate. Given under our hands this 5th day of April, 1803.

HENRY EVANS, } Executors.
JOSEPH EVANS, }

THIS is to give notice, that the subscriber hath taken out letters of administration on the estate of JOHN DENT, late of Anne-Arundel county, deceased, therefore all persons who have claims against the said deceased are requested to bring in the same, proved according to law, and all those who are in any manner indebted to the estate are requested to make payment, to

ELEANOR DENT, Administratrix.
April 27, 1803.

Ten Dollars Reward.

RAN away the Wednesday after Whitunday last, a negro boy named HEZ, about nineteen years of age, five feet high, he is a black fellow, and stammers when spoken to, he is an artful villain, and on the left or right shoulder is a mark by a burn when a child; had on when he went away, a long blue coat, a pair of corduroy pantaloons, an osabrig shirt. I suppose he is harboured by his father who belongs to Walter Claggett, in Anne-Arundel county, near Queen-Anne. Whoever takes up said fellow, and secures him in any goal, so that I may get him again, shall receive the above reward, paid by

BENJ. DUVAL, of ELIZABETH.

N. B. I forewarn all persons from harbouring said fellow on their peril.

In COUNCIL, ANNAPOLIS, April 19, 1803.
ORDERED, That the act to alter, change, and abolish, such parts of the constitution and form of government as relates to the establishing a general court and court of appeals, be published once in each week, for the space of three months successively, in the Maryland Gazette, at Annapolis; the Baltimore American, the Telegraph, the Federal Gazette, or Baltimore; the National Intelligencer; Mr. Smith's paper, at Easton; the Republican Advocate, at Fredericktown; and Mr. Griever's paper, at Hagerstown.

By order,
NINIAN PINKNEY, Clerk.

An ACT to alter, change and abolish, such parts of the constitution and form of government as relate to the establishing a general court and court of appeals.

BE it enacted, by the General Assembly of Maryland, That from and after the first day of March, eighteen hundred and four, there shall be a court of appeals, composed of three persons of integrity, and sound judgment in the law, who shall be styled in their commissions Judge of the Court of Appeals, whose judgment shall be final and conclusive in all cases of appeal from the court of chancery, county court or orphans court; and that the court of appeals shall hold two sessions on the western shore, and two on the eastern shore in each year, at such times and places as the future legislature of this state shall direct and appoint.

And be it enacted, That from and after the said first day of March, eighteen hundred and four, this state shall be divided into five judicial districts, viz. Saint-Mary's, Calvert, Prince-George's and Charles counties, shall be the first district; Cecil, Kent, Queen-Anne's and Talbot counties, shall be the second district; Anne-Arundel, Baltimore and Harford counties, shall be the third district; Caroline, Dorchester, Somerset and Worcester counties, shall be the fourth district; and Washington, Frederick, Montgomery and Allegany counties, shall be the fifth district; and that there shall be appointed for each of the said districts two persons of integrity, and sound judgment in the law, who shall reside in the district for which they shall be appointed, who shall be styled in their commissions District Judges of the county courts in such district; and there shall be appointed for each of the counties of this state one person of integrity, experience and knowledge, resident of the county for which he shall be appointed, who shall be styled in the commission Associate Judge of the county court of the county for which he shall be appointed; and the said district judges in their respective districts, together with the said associate judge in the respective counties, shall compose the county courts; and the county courts so established shall have, hold and exercise all the powers, authorities and jurisdictions, that the general court and county courts of this state has heretofore held, used and exercised, except the appellate jurisdiction of the general court; and that the county courts shall hold their sessions in the respective counties at such times and places as the future legislature of this state shall direct and appoint.

And be it enacted, That if this act shall be confirmed by the general assembly, after the next election of delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alterations and amendment of the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, to all intents and purposes, any thing in the said constitution and form of government contained to the contrary notwithstanding.

And be it enacted, That all and every part of the constitution and form of government that relates to the court of appeals, of the general court, as now established, or to the judges thereof, or that is in any manner contrary to, or inconsistent with, the provisions of this act, be and are hereby declared to be repealed and abolished, on the confirmation hereof.

Michael & Barney Curran,

Have received, by the arrivals at Philadelphia,

A handsome assortment of

SPRING GOODS,

Consisting of

CHINTZES and calicoes
Dimities and muslins,
Marfelles quilting and printed jeans,
Cambric dimities,
Ditto muslin 6-4 and 9-8 wide,
Coloured cambricks and ginghams,
Ladies and gentlemen's silk and cotton hose,
Extra long silk and kid gloves,
Gentlemen's best heavier ditto,
Striped and coloured nankeens,
Figured satins for gentlemen's vests,
India book and jackonet muslins,
British ditto, ditto, ditto,
India crape handkerchiefs, and jackonet ditto,
Irish flannels and checks,
And on hand some best London super-fine clothes and cassimers,
Cotton counterpanes and table clothes, &c. &c.
Annapolis, April 19, 1803.

ANNAPOLIS:

Printed by FREDERICK and SAMUEL GREEN.